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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/161,699	09/29/1998	KOICHI KIMURA	Q49742	7949

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SUGHRUE MION ZINN MACPEAK AND SEAS
2100 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 200373202

EXAMINER

LANEAU, RONALD

ART UNIT	PAPER NUMBER
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2674

28

DATE MAILED: 01/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/161,699

Applicant(s)

KIMURA, KOICHI

Examiner

Ronald Laneau

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-6,8-16 and 18-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 28-34 is/are allowed.
- 6) ☒ Claim(s) 2-6,8-16 and 18-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Response to Amendment

1. The amendment filed on 10/23/03 has been entered. Claims 2-6, 8-16, and 18-41 are now pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2-6, 8-16, 18-27 and 35-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahara et al (US 6,177,965) in view of Biegelsen et al (US 5,953,061).

As per claims 2, 3, 6-8, Takahara et al disclose a ferroelectric liquid crystal display device provided with a first substrate on which pixel electrodes are arranged in matrix and striped electrodes corresponding to rows of the pixel electrodes and a second substrate with counter electrodes. It is so constituted that a different voltage can be impressed to any optional striped electrode from that of a striped electrode adjacent to the optional electrode. Takahara et al disclose a light modulation layer that is held between the first and second substrates (col. 4, lines 7-15), one end of the striped electrode is electrically connected to a drive circuit so that each striped electrode receives a predetermined voltage from the drive circuit (col. 3, lines 64-66). Takahara et al do not teach a ferroelectric gate transistor as claimed but Biegelsen et al is cited to show that the concept of broadly utilizing a ferroelectric gate transistor 60 that comprises a single gate transistor (see fig. 4) is known.

It would have been obvious to one of ordinary skill in the art to modify the system of Takahara et al such that to only utilize a single ferroelectric gate field-effect transistor 60, as evidenced by Biegelsen et al, because using a ferroelectric gate transistor would ensure prevention of destruction of memory information in semiconductor device even if supply voltage fluctuates.

In claims 2, 4, 10, and 12, as to limitation “first and second polarization state”, Takahara et al teach negative-positive polarity voltage that changes the polarization state of the liquid crystal when data is writing (see abstract).

As to claims 6 and 14, relative to the limitation “modulation by binary static drive”, while Takahara et al do not explicitly specify “modulation by binary static drive” in their disclosure, but it is noted that their system is capable of performing gradation or halftoning for providing a multi-gradation display (col. 21, lines 28-30; col. 23, lines 47-54). Therefore, it would have been obvious to one of ordinary skill in the art to modify the system of Takahara et al such that the drive circuit performs modulation by binary static drive because “binary static drive” is considered to be an alternative equivalent driving technique for providing a multi-gradation display device.

As per claims 35-41, Biegelsen et al teach a ferroelectric gate transistor having a gate directly connected to a first data line as claimed (see fig. 4).

Allowable Subject Matter

4. Claims 28-34 are allowed for the same reasons given the previous action.

Response to Arguments

5. Applicant's arguments filed on 10/23/03 have been fully considered but they are not persuasive.

Applicant's arguments that Biegelsen et al disclose a ferroelectric gate transistor in connection with an image acquisition device, such as a scanner. Although, this is true, Biegelsen et al do a single fet per pixel and goes further to disclose two transistors per circuit (figs. 3, 9, 10). As a result, the rejection finally stands.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is 703-305-3973. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 6.00 PM or via email: ronald.laneau@uspto.gov.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached at 703-305-4709.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any response to this final action should be mailed to:

BOX AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:


(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Ronald Laneau
Examiner
Art Unit 2674

rl
December 30, 2003



RICHARD HUERPE
SUPERVISORY EXAMINER
TECHNOLOGY CENTER 2600